



California State Board of Pharmacy
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STATE AND CONSUMER SERVICES AGENCY
DEPARTMENT OF CONSUMER AFFAIRS
ARNOLD SCHWARZENEGGER, GOVERNOR

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**California State Board of Pharmacy
Department of Consumer Affairs
Notice of Public Board Meeting
July 24 and 25, 2007**

This board meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Any person with a disability who requires a disability-related modification or accommodation in order to participate in the public meeting may make a request for such modification or accommodation by contacting Gloria Schultz at (916) 574-7912, at least five working days prior to the meeting.

Opportunities are provided to the public to address the board on each open agenda item.

Agenda

DATE: July 24 and 25, 2007

PLACE: Embassy Suites Hotel
Los Angeles International Airport -SOUTH
1440 E. Imperial Avenue
El Segundo CA 90245
310-640-3600

Note: *Pharmacists and pharmacy technicians who attend the full day of the board meeting on Tuesday, July 24, 2007, may be awarded 6 hours of CE, in accordance with the board's CE policy.*

Tuesday, July 24, 2007

CALL TO ORDER ***9:15 a.m.**

General Announcements

I. Committee Reports And Action

Each committee report contains an update to the board on the committee's recent activities and may include recommendations for board action. An opportunity for public comment is provided at the end of each report.

A. Enforcement Committee

9:20 a.m.

1. Report and Action of Items Discussed at the Enforcement Committee and Workgroup on E-Pedigree Meeting of June 20, 2007
 - a. Update of the Workgroup on E-Pedigree Meeting.
 - b. EPCglobal Presentation to the Board on the Status of Standards Development for E-Pedigrees

**Times are approximate and are subject to change
Meeting Materials will be available on the board's Web site at www.pharmacy.ca.gov by July 20, 2007*

- c. Use of Average Manufacturers' Price as the Reimbursement Base of Medications for Medicare and Medicaid Patients
- d. Requirements of the Center for Medicare and Medicaid Services to Use Security Prescription Pads for Prescriptions
- e. Status Update: Proposed Modified Disciplinary Guidelines for the Board of Pharmacy
- f. 2007 Self Assessment Process for Community and Inpatient Hospital Pharmacies
- g. Meeting Summary
- 2. Presentation by the Nevada Board of Pharmacy on the Nevada Electronic Pedigree Program

Break

- 3. Presentation on the Pharmacists Recovery Program by Program Contractor Maximus
- 4. Report on Enforcement Actions
- 5. Fourth Quarterly Status Report on Committee Goals for 2006/07

Public Comment

B. Organizational Development Committee

11:00 a.m.

- 1. Report and Action of Items Discussed at the Organizational Development Meeting of July 17, 2007
 - a. Statistical Review of the Board of Pharmacy Workload: 2001-2007
 - b. Recognition of Pharmacists who Have Been Licensed 50 Years
 - c. Board Member Committee Roster
 - d. Personnel Update and Training Report
 - e. Budget Update and Report
 - (1) Prior Year's Budget 2006/07
 - (2) Current Year's Budget 2007/08
 - (3) Board Fund Condition
 - (4) I-Licensing Update
 - (5) Reimbursement to Board Members
 - f. CURES Feasibility Study Report as Required by Health and Safety Code 11165.5
 - g. Meeting Summary
 - h. Fourth Quarterly Report on the Committee's Goals for 2006/07
 - i. Approval of Full Board Minutes (January 31 and February 1, 2007)
 - j. Approval of Full Board Minutes (April 18 and 19, 2007)

Public Comment

Recognition of Pharmacists Licensed with the Board for 50 Years

11:30 a.m.

Lunch

C. Licensing Committee

1:15 p.m.

- 1. Report and Action of Items Discussed at the Licensing Committee Meeting of May 30, 2007
 - a. Proposed Regulation Requirements for Pharmacies that Compound Medication
 - Amendments to 16 CCR sections 1716.1, 1716.2 and 1751.3 and Adoption of Sections 1735-1735.8
 - b. Legislative Proposal: Establishment of State Protocol for Immunizations
Legislative Proposals
 - c. California Schools of Pharmacy Proposal to Identify and Agree on the Professional Competencies that Should be Achieved by the End of Basic Internship Experiences
 - d. Update of Emergency Preparedness for California Pharmacy

- e. Update on the Request to Add the Exam for the Certification of Pharmacy Technicians as a Qualifying Method for Pharmacy Technician Registration
- f. Mobile Community Clinics and Licensing by the Board of Pharmacy
- g. Competency Committee Report – Including the New Test Administration Company for the CPJE
- h. Meeting Summary of the May 30, 2007 Meeting
- 2. Licensing Statistics
- 3. Fourth Quarterly Report on Committee Goals for 2006/07

Public Comment

D. Communication and Public Education Committee

2:15 p.m.

- 1. Discussion and Action on the Board's Public Forum on Medicare Prescription Drug Plans
- 2. Report and Action of Items Discussed at the Communication and Public Education Committee Meeting of June 27, 2007
 - a. Projects Under Development by the Committee
 - 1. Consumer Fact Sheet Series with UCSF's Center for Consumer Self Care
 - 2. Pill Splitting by Patients
 - 3. Update Report on *The Script*
 - 4. New Board Web Site Under Development
 - 5. Development of New Consumer Brochures
 - b. Update on Public Outreach Activities
 - c. Meeting Summary of the Meeting of June 27, 2007
 - d. Fourth Quarterly Report on Committee Goals for 2006/07

Public Comment

Break

E. Legislation and Regulation Committee

3:00 p.m.

Part 1: Regulation Report and Action

Note: CCR as used below means California Code of Regulations

- 1. **Board Action on Regulations**
 - a. Proposed Amendment of 16 CCR 1707.2 – Notice to Consumers
 - b. Proposed Amendment of 16 CCR 1749 – Fee Schedule
- 2. **Regulations Approved by the Office of Administrative Law**
 - a. Adoption of Amendments to 16 CCR 1706.2 – Abandonment of Application Files
- 3. **Regulations Submitted to the Administration for Approval**
 - a. Section 100 Technical Changes
 - (1) Proposed Amendment to 16 CCR § 1709.1 – Replace the Term “Exemptee-in-Charge” with “Designated Representative-in-Charge”
 - (2) Proposed Amendment to 16 CCR § 1780.1 and 1781 – Replace the term “Exemptee” with “Designated Representative”
 - (3) Proposed Repeal of 16 CCR § 1786 – Return of Exemption Certificate
 - (4) Proposed Amendment to 16 CCR § 1715 – Self Assessment of a Pharmacy by the Pharmacist-in-Charge to Update for Changes in Pharmacy Law
 - (5) Proposed Amendment to 16 CCR § 1793.8 to Update Regulation Reference to Recodified Business and Professions Code § 4052
 - (6) Proposed Amendment to 16 CCR § 1707 Waiver Requirements for Off-Site Storage of Records

- (7) Proposed Amendment to 16 CCR § 1787 Authorization to Distribute Dialysis Drugs and Devices
 - (8) Proposed Amendment to 16 CCR § 1790 Assembling and Packaging
 - (9) Proposed Amendment to 16 CCR § 1719 Pharmacy Practice
 - b. Addition to the California Building Code – 24 CCR 490A.3 and 505.12.2 Related to Compounding Parenteral Solutions: Technical Changes to the Building Code Relating to Pharmacies
- 4. Board-Approved – Awaiting Public Notice**
- a. Proposal to Require the Self Assessment of a Veterinary Food Animal Drug Retailer Premises, Addition of 16 CCR § 1785
 - b. Proposed Amendment to 16 CCR § 1760 – Disciplinary Guidelines
 - c. Section 100 Change: Update 16 CCR § 1780 – USP Standards Reference Material CCR
- 5. Board Approved – Proposed Language to be Approved**
- Proposed Regulation on the Process and Criteria to Approve Accreditation Agencies for Pharmacies that Compound Sterile Injectable Drug Products

Public Comment

Part 2: Legislation Report and Action

- 6. Board-Sponsored Legislation**
- a. Omnibus Provisions Contained in SB 1048
 - (1) CURES Reporting – Dispense Schedule IV Drug to Emergency Room Patients – Amend Business and Professions Code § 4068
 - (2) Authorize Board Inspectors to Embargo Misbranded Drugs – Amend Business and Professions Code § 4084
 - (3) Correct “Exemptee-in-Charge” Reference to “Designated Representative-in-Charge – Amend Business and Professions Code § 4101
 - (4) Establish a Temporary License Fee for Wholesalers – Amend Business and Professions Code §§ 4160(f) and 4161(k)
 - (5) Extend Bonding Requirements for Wholesalers – Amend Business and Professions Code §§ 4162 and 4162.5
 - (6) Amend Name of CPJE to Reflect Exam Requirements Specified in the Business and Professions Code – Amend §§ 4200, 4200.1 and 4200.2
 - (7) Authorize the Board to Extend an Intern Pharmacist License – Amend Business and Professions Code § 4208
 - (8) Authorize Citation and Fine Authority for Repositories for Redistribution of Unused Medication (as authorized by SB 798, Chapter 444, Statutes of 2005) – Amend Business and Professions Code §§ 4314 – 4315
- 7. Legislation Introduced Impacting the Practice of Pharmacy or the Board’s Jurisdiction**
- a. Active Bills with Positions Taken by the Board
 - (1) AB 110 (Laird) Drug Paraphernalia: Clean Needle and Syringe Exchange Projects
 - (2) AB 249 (Eng) Licensees: Healing Arts: Settlement Agreements
 - (3) AB 543 (Plescia) Ambulatory Surgical Centers: Licensure
 - (4) AB 1025 (Bass) Professions and Vocations: Denial of Licensure
 - (5) AB 1587 (De La Torre) Personal Information: Pharmacy
 - (6) SB 472 (Corbett) Prescription Drugs: Labeling Requirements
 - (7) SB 606 (Scott) Pharmaceutical Information: Clinical Trial Data
 - (8) SB 615 (Oropeza) Pharmacy Technicians: Scholarship and Loan Repayment Program
 - (9) SB 963 (Ridley-Thomas) Regulatory Boards: Operations
 - (10) SB 966 (Simitian) Pharmaceutical Drug Disposal

- b. Other Active Bills of Interest Impacting Board
 - (1) AB 14 (Laird) Discrimination: Civil Rights Act of 2007
 - (2) AB 64 (Berg) Uniform Emergency Volunteer Health Practitioners Act
 - (3) AB 106 (Berg) Immunizations
 - (4) AB 329 (Nakanishi) Chronic Diseases: Telemedicine
- c. Inactive Bills with Positions Taken by Board:
 - (1) AB 501 (Swanson) Pharmaceutical Devices
 - (2) AB 851 (Brownley) Prescription Drugs: Informational Insert
 - (3) AB 865 (Davis) State Agencies: Live Customer Service Agents
 - (4) AB 1276 (Karnette) Pharmacies: Prescription Containers: Labels
 - (5) AB 1399 (Richardson) Pharmacies: Prescription Labels
 - (6) AB 1436 (Hernandez) Nurse Practitioner: Scope of Practice
 - (7) SB 809 (Ashburn) Nurse Practitioners
 - (8) SB 993 (Aanestad) Psychologists: Scope of Practice: Prescribing Drugs

Public Comment

- 8. Meeting Summary of the July 5, 2007 Legislation and Regulation Committee Meeting
- 9. Fourth Quarterly Report on Committee Goals for 2006/2007

II. New Business/Agenda Items for Future Meetings

5:00 p.m.

Wednesday, July 25, 2007

III. Closed Session

7:30 a.m.

The board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters.

IV. Petitions

9:00 a.m.

a. Reinstatements

William Argentino
Michael Flores
Toan Phuoc Huynh

b. Early Termination

Tommy Kien Huynh

V. Closed Session

At the close of the hearings, the board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on the requests for reinstatements, reduction of penalty, and early termination of probation.

Adjournment

3:00 p.m.